

Remarks/Arguments

Reconsideration of this application is requested.

Claim Status

Claims 1-20 are pending. Claims 1, 2, 10, 11, 13, 16 and 20 are amended.

Claim Rejections – 35 USC 102(b) – Yamamoto

Claims 1-10, 12 and 19 are rejected under 35 USC 102(b) as anticipated by Yamamoto (US 7,167,258). In response, applicant traverses the rejections.

Claims 1-8, 10 and 19

As described in applicant's specification, conventional image processing systems connect a scanner device 1 and printer device 2 to PCs 3, 4, 5, etc. all via LAN 6. However, in a copying process, the scanned image data cannot be transmitted directly from the scanner device to the printer device and it is necessary to transmit the data via the PC. Since data is exchanged between the PC and the printer device in this manner, it becomes difficult to control the scanner device.

Applicant's invention solves this problem by providing an image scanning device that outputs scanned image information to a network, an image output device that outputs image information, and an information processing device that accepts the scanned image information and outputs image information to the image output device under a common protocol. For example, printer device 2 physically and directly connects to scanner device 1 via a communication cable. Scanner device 1 is connected to a hub 8 connected to PCs 3 and 4 via LAN 6. Thus, scanner device 1, hub 8 and PCs 3 and 4 constitute LAN 6, but the connection between printer device 2 and scanner device 1 does not (FIG. 1 and paragraph 0040). In this manner, the number of ports of hub 8 can be reduced and a copying process is provided without a PC (paragraphs 0043 and 0006).

Claim 1 is amended to emphasize this fundamental feature. In particular, in addition to reciting that the image output device is physically connected directly only to the image scanning device, claim 1 is further amended to recite that:

... means for connecting the image scanning device, the image output device and the information processing device so that data can be exchanged by a common protocol, wherein the means for connecting connects the image scanning device and the information processing device to the network, wherein the image output device is not physically connected to the image scanning device via the network, and wherein the image output device is not directly physically connected to the information processing device, but is physically connected to the information processing device via the image scanning device...

Independent claims 2 and 10 are amended in similar fashion. Claim 10, for example, is amended as follows:

...means for connecting the image scanning device, the image output device and the information processing device so that data can be exchanged, wherein the means for connecting connects the image scanning device and the information processing device to the network, wherein the image output device is not physically connected to the image scanning device via the network...

In Yamamoto, by contrast, printer 300 (image output device) is connected to image scanner 200 (image scanning device) via LAN 10. Image scanner 200, printer 300, computer 400, server 500 and proxy device 600 are all connected to the LAN, as is conventionally known. As shown in Fig. 1, each device is physically connected to LAN 10 which connects each and every one of the devices in the network. Moreover, column 39, lines 13-20 teaches the generation of a plurality of paths that include direct paths and indirect paths. However, the generation of a path in step S3601 does not change the physical network connections between the image scanning device, image output device and information processing device.

Since Yamamoto does not disclose each and every feature of claims 1, 2 and 10, it cannot anticipate those claims or claims 3-8 and 19 dependent thereon. The

rejections of claims 1-8, 10 and 19 under 35 USC 102(b) should therefore be withdrawn.

Claims 9 and 12

Independent claims 9 and 12 include the feature of an image scanning device providing "data instructing to interrupt or suppress transmission of the print data." During the telephone interview of March 13, 2008, applicant's representative pointed out that Yamamoto at column 11, lines 20-35 merely teaches notification and not instruction, and that the interpretation of notification as teaching instruction is unreasonably broad. In particular, an instruction is a command while notification merely provides information without any explicit or implied commands. Applicant notes that the Supervisory Examiner agreed with this reasoning during the interview and submitted that claims 9 and 12 would be reconsidered in more detail during prosecution. In this regard, applicant respectfully submits that the rejection of claims 9 and 12 are repeated verbatim from the final action without substantive rebuttal of Applicant's telephone argument's in either the Advisory Action of April 11, 2008 or Office Action of May 15, 2008, other than to state that the rejections under 35 USC 102(b) are not withdrawn (page 5 of the Action). Should the Examiner maintain this position, clarification is respectfully requested.

Since Yamamoto does not disclose each and every element of claims 9 and 12, it cannot anticipate those claims. The rejections under 35 USC 102(b) should accordingly be withdrawn.

Claim Rejections – 35 USC 103(a) – Rosenlund

Claims 11 and 16 are rejected under 35 USC 103(a) as obvious over Yamamoto in view of Rosenlund (US 6,738,155). Claims 17 and 18 are rejected as obvious over Yamamoto in view of Rosenlund and Danknick (US 6,856,416). In response, applicant traverses the rejections.

Claims 11 and 16 are amended to recite an image output device not physically connected to an image scanning device via the network, as discussed above with respect to independent claims 1, 2 and 10. As discussed above,

Yamamoto teaches a printer 30 connected to image scanner 200 via LAN 10. Rosenlund fails to remedy the deficiencies of Yamamoto in this regard.

Rosenlund is directed to hierarchical storage management (HSM) system 120 that archives electronic files. HSM system 120 is RAID and SAN capable. The network connections of an image output device and image scanning device are not disclosed. Danknick is directed to allocating print jobs among a plurality of printers and does not remedy the deficiencies of Yamamoto in this regard.

Since Yamamoto, Rosenlund and Danknick do not disclose or suggest each and every element of claims 11 and 16, these claims and claims 17 and 18 dependent thereon are not obvious over Yamamoto, Rosenlund and Danknick. The rejections under 35 USC 103(a) of claims 11 and 16-18 should therefore be withdrawn.

Claim Rejections – 35 USC 103(a) – Maeda

Claims 13 and 20 are rejected under 35 USC 103(a) as obvious over Yamamoto in view of Maeda (US 6,557,033). Claims 14 and 15 are rejected as obvious over Yamamoto in view of Maeda and Danknick. In response, applicant traverses the rejections.

Claims 13 and 20, as amended, recite that the image output device is physically connected directly only to the image scanning device and the image output device is not physically connected to the image scanning device via the network. The image output device is not directly physically connected to the information processing device, but is physically connected to the information processing device via the image scanning device. As discussed in detail with respect to claims 1 and 2, Yamamoto teaches against this feature. Maeda does not remedy the deficiencies of Yamamoto in this regard.

Maeda is merely directed to a printer-scanner composite apparatus 100 connected to a PC 402 and including a detachable printer head 302 and scanner head 303 that provides physical switching between a print and scan function.

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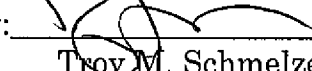
Since Yamamoto, Maeda and Danknick do not disclose or suggest each and every element of claims 13 and 20, these claims and claims 14 and 15 dependent thereon are not obvious over Yamamoto, Maeda and Danknick. The rejections of claims 13-15 and 20 under 35 USC 103(a) should therefore be withdrawn.

Conclusion

This application is now believed to be in condition for allowance. The Examiner is invited to contact the undersigned to resolve any issues that remain after entry of this amendment. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

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